

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Administrative Office of the Courts
Bonnie Rose Hough, Supervising Attorney, Center for Families,
Children & the Courts, 415-865-7668, bonnie.hough@jud.ca.gov

DATE: November 13, 2008

SUBJECT: Equal Access Fund: Distribution of Funds for Partnership
Grants (Action Required)

Issue Statement

The State Bar Legal Services Trust Fund Commission has submitted a report (attached at pages 6–49) on the distribution of Equal Access Fund grants. In that report, the commission requests that the Judicial Council approve the distribution of \$1,600,000 according to the statutory formula set out in the State Budget. For the last seven years, the Budget Act authorizing the Equal Access Fund has provided that the Judicial Council must approve the commission’s recommendations if the council determines that the awards comply with statutory and other relevant guidelines.

Recommendation

Staff of the Administrative Office of the Courts recommends that the Judicial Council, effective December 9, 2008, approve the allocation of \$1,600,000 in Equal Access Fund partnership grants to the State Bar Legal Services Trust Fund Commission for distribution to the following legal service agencies for programs conducted jointly with the courts providing legal assistance to self-represented litigants;

BAY AREA LEGAL AID

Domestic Violence Emergency Orders Clinic \$39,000

BET TZEDEK LEGAL SERVICES

Elder Law Project \$126,000

CALIFORNIA RURAL LEGAL ASSISTANCE

Landlord/Tenant and Small Claims Pro Per Assistance Project,

San Joaquin..... \$70,000

Stanislaus County Landlord/Tenant Pro Per Clinic \$55,000

CENTRAL CALIFORNIA LEGAL SERVICES, INC.

Domestic Violence Rural Access Partnership, Kings \$54,000

CONTRA COSTA SENIOR LEGAL SERVICES

Senior Self-Help Clinic \$20,000

EAST BAY COMMUNITY LAW CENTER

Alameda County Clean Slate Clinic..... \$52,000

ELDER LAW AND ADVOCACY

Bilingual Conservatorship Clinic \$40,000

GREATER BAKERSFIELD LEGAL ASSISTANCE, INC.

Family Law Access Project..... \$65,000

LAW CENTER FOR FAMILIES

Alameda County Family Law Collaborative..... \$30,000

LEGAL AID FOUNDATION OF LOS ANGELES

Torrance Self-Help Legal Access Center \$45,000

LEGAL AID FOUNDATION OF SANTA BARBARA COUNTY

Legal Resource Center in Lompoc \$68,000

LEGAL AID SOCIETY OF ORANGE COUNTY

Lamoreaux Justice Self-Help Center..... \$58,000

LEGAL AID SOCIETY OF SAN DIEGO, INC.

Civil Harassment Temporary Restraining Order Clinic..... \$70,000

Unlawful Detainer Assistance Program, South County Courthouse..... \$70,000

LEGAL AID SOCIETY OF SAN MATEO COUNTY

San Mateo County Landlord/Tenant Clinic \$40,000

LEGAL SERVICES OF NORTHERN CALIFORNIA

Legal Information and Assistance Project..... \$45,000

Mendocino County Self-Help Legal Access Center \$55,000

| | |
|--|-------------|
| Solano County Restraining Order Clinic..... | \$45,000 |
| Unlawful Detainer Mediation Project | \$28,000 |
| LOS ANGELES CENTER FOR LAW AND JUSTICE | |
| Case Assessment/System Evaluation (CASE) Project..... | \$70,000 |
| NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY | |
| Domestic Abuse Self-Help Project..... | \$55,000 |
| San Gabriel Valley Self-Help Legal Access Center..... | \$65,000 |
| PRO BONO PROJECT SILICON VALLEY | |
| Domestic Violence Self-Representation Assistance | \$30,000 |
| PUBLIC COUNSEL | |
| Appellate Self-Help Clinic | \$50,000 |
| PUBLIC LAW CENTER | |
| Orange County Courthouse Guardianship Clinic..... | \$30,000 |
| SAN DIEGO VOLUNTEER LAWYER PROJECT | |
| North County Civil Harassment Restraining Order Clinic | \$60,000 |
| SAN FRANCISCO BAR VOLUNTEER LEGAL SERVICES | |
| Family Law Litigants Without Lawyers Project | \$60,000 |
| SENIOR CITIZENS' LEGAL SERVICES | |
| Conservatorship and Elder Abuse Project..... | \$40,000 |
| THE WATSONVILLE LAW CENTER | |
| Language Access Project..... | \$65,000 |
| Total..... | \$1,600,000 |

Rationale for Recommendation

For the last 10 years, the state Budget Act has contained a provision for the allotment of \$10 million to an Equal Access Fund “to improve equal access and the fair administration of justice.” (Stats. 2008, ch. 268, pp. 32–36; Stats. 2007, ch.171, pp. 40–42; Stats. 2006, ch. 47, pp. 26–30; Stats. 2005, ch. 38, pp. 9–11; Stats. 2004, ch. 208, pp.16–17; Stats. 2003, ch. 157, pp. 11–12; Stats. 2002, ch. 379, pp. 30–31; Stats. 2001, ch. 106, pp. 73–74; Stats. 2000, ch. 52, pp. 78–79; Stats. 1999, ch. 50, pp. 55–56.) The Budget Act also applied the State Appropriation Limit (SAL) to the Judiciary Budget for the first time in

2006. The SAL was replaced this year by a Consumer Price Index-based enhancement of 2.7%, to be applied to last year's SAL-augmented General Fund allocation of \$10,495,000. This results in a CPI-based augmentation for 2008-09 of \$283,365, and therefore a total budgetary allocation for the 2008-09 grant year of \$10,778,365.

In 2005, Legislature and the Governor approved the Uniform Civil Fees and Standard Fee Schedule Act. That act established a new \$4.80 fee for each filing and its distribution to the Equal Access Fund. The estimated annual revenue from this filing fee is \$5,847,564. The trial courts began collecting the fee in January 2006, and the first payment was made to the State Bar in June 2006. Based on the history of funding, the Legal Services Trust Fund Commission is proposing a distribution this year of \$1,600,000 to legal services programs for partnership grants. If funds are received in excess of that \$1,600,000, they will be included in the legal services grants in the coming year.

The budget-control language requires that the Judicial Council distribute the Equal Access Fund grants *to* legal services providers *through* the State Bar Legal Services Trust Fund Commission. The Budget Act states that “[t]he Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. . . . The Judicial Council may establish additional reporting or quality control requirements”¹

In March 2005, the Judicial Council submitted a report describing the operation and activities of the Equal Access Fund to the California Legislature. In preparing the report, staff to the commission and the Administrative Office of the Courts worked extensively with legal services agencies to develop systems for the agencies to effectively evaluate their programs. All recipients of partnership grants conduct an annual evaluation of the effectiveness of the programs. Programs will be required to submit their evaluation results to the commission by March 1, 2010.

Under the Budget Act, the Chief Justice appoints one-third of the voting members to the commission—five attorney members and two public members, one of whom is a court administrator. The Chief Justice also appoints three nonvoting judges to the commission—two trial court judges and one appellate justice. Members appointed by the Chief Justice participated actively in the review of the partnership grants.

The Budget Act provides that 90 percent of the funds be distributed to legal services agencies according to a statutory formula. The council approved the distribution on August 15. The remaining 10 percent of the funds are to be distributed to legal services programs to provide self-help assistance at the courts. The process for choosing the legal services programs to receive these partnership grants is stated in the attached report of the Legal Services Trust Fund Commission.

¹ The Budget Act language is attached at page 14.

Distributing the funds to the commission will allow it to carry out the terms of the Budget Act and put the partnership grant funds into the hands of legal services providers that will enter into joint projects with the courts to provide legal assistance to self-represented litigants. The fiscal year for these grants commences January 1, 2009.

Alternative Actions Considered

There are no viable alternatives to distributing the funds according to the recommendations of the Legal Services Trust Fund Commission. The Budget Act requires the council to approve the proposed distribution if it finds that the statutory and other relevant guidelines are met.

Comments From Interested Parties

The recommendations have been approved by the Legal Services Trust Fund Commission as required by law. The statutory scheme does not contemplate public comment.

Implementation Requirements and Costs

Partnership grants will require the courts that have elected to participate in joint projects with local legal services providers to cooperate in the manner proposed in their grant applications.

AOC staff will work with the staff of the Legal Services Trust Fund Commission to oversee administration of the Equal Access Fund, including fulfillment of requirements for reports on the commission's administration of the fund. Staff will also provide support to the commission (including the one-third of its members appointed by the Chief Justice) to facilitate administration of the Equal Access Fund.

The recommendation contained in this report will have no direct fiscal effect on the courts; nevertheless, the courts will indirectly benefit from assistance provided to self-represented litigants. AOC staff support will be covered by the provision for administrative costs in the Budget Act appropriation.

Attachment



THE STATE BAR OF CALIFORNIA

LEGAL SERVICES TRUST FUND PROGRAM

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: (415) 538-2252; FAX: (415) 538-2529

Stephanie L. Choy
Managing Director
(415) 538-2240

Lorna Choy
Sr. Grants Administrator
(415) 538-2535

Denise Teraoka
Grants Administrator
(415) 538-2545

Daniel Passamaneck
Grants Administrator
(415) 538-2403

Robert G. Lee
Sr. Accountant
(415) 538-2009

DATE: November 17, 2008

TO: The Judicial Council of California

FROM: Stephanie Choy, Managing Director
Legal Services Trust Fund Program

SUBJECT: Equal Access Fund: Distribution of Tenth Year
Equal Access Fund Partnership Grants

Background

The Equal Access Fund was first included in the 1999 Budget Act and has continued to be included in every subsequent budget act up to and including the Budget Act of 2008. The budget control language establishes that the Equal Access Fund will support two different grants programs: IOLTA-Formula Grants, and Partnership Grants. (The budget also provides for funds for the cost of administration.) The annual allocation for the first six grant cycles was \$9.5 million, to be distributed by the Judicial Council in grants to legal services providers through the Legal Services Trust Fund Commission of the State Bar.

In 2005, the "Uniform Civil Fees and Standard Fee Schedule" Act established a new distribution to the Equal Access Fund of \$4.80 per filing fee. Filing fee revenue distributed to the Equal Access Fund under this legislation was \$4 million in 2006-07, and \$5.7 million for 2007-08, including some income received but not distributed in the prior year. With minor rounding, current filing fee receipts for the 2008-09 fiscal year support an estimate of \$5,700,000 in filing fee receipts available for distribution through grants. Additionally, \$147,564 was received in filing fees last year beyond the amounts previously authorized for distribution; pursuant to last year's Resolution by this Council, those "excess" funds are to be included in legal services grants for this coming 2008-09 grant year. Total filing fee revenue available for distribution for 2008-09 is therefore estimated at \$5,847,564. If actual filing fee receipts for 2008-09 exceed this sum, the excess will be included in the legal services grants in the coming year.

The Budget Act also applied the State Appropriation Limit (SAL) to the Judiciary Budget for the first time in 2006. The SAL was replaced this year by a Consumer Price Index-based enhancement of 2.7%, to be applied to last year's SAL-augmented General Fund allocation of \$10,495,000. This results in a CPI-based

augmentation for 2008-09 of \$283,365, and therefore a total budgetary allocation for the 2008-09 grant year of \$10,778,365.

These three components – the basic budgetary allocation of \$10,495,000, the CPI-based augmentation to the budgetary allocation of \$283,365, and the filing fee revenue of \$5,847,564 – result in a total of \$16,625,929.

This year, as has been the practice in years past, budget proposals for expenditure of IOLTA-Formula Equal Access Fund grants were initially requested from participating organizations in July, so that the Trust Fund Program would be better able to finalize grants and begin disbursements by early November. However, then-ongoing budget negotiations required the Trust Fund Program to request budget proposals without knowing exactly the value of funds that would ultimately be allocated. Budgets were therefore requested based on the same total allocation value as last year: \$16,000,000 of total allocations, or \$14.4 million for IOLTA-Formula EAF grants. Programs were advised that revised budgets might be requested in the event the Budget Act provided a different level of funding.

Ultimately, the Budget Act did provide for a funding increase, but one that produced effectively nominal increases for many grantees under the Trust Fund Program's statutory funding formula (Business and Professions Code sec. 6216). Therefore, with the approval of the Council, it was concluded that IOLTA-Formula allocations for 2008-09 year would be based on the value of last year's total available funds, with this year's additional increase to be awarded as part of next year's distributions. While this decision was explicitly reached in the context of IOLTA-formula grants, it applies as well to Partnership Grants, which have therefore also been allocated on the basis of last year's level of available funds.

The 2008-2009 budget control language, setting forth the basis for apportioning available funds between administrative costs, IOLTA-Formula Equal Access Grants, and Partnership Grants, is attached as Attachment A.

We are now requesting that you approve the award of the tenth round of Partnership Grants. This report describes the process and criteria the commission uses to select the successful applicants, and provides information about the successful proposals, which are listed and described in Attachment B.

Request for Proposals

In August, the commission issued a Request for Proposals (RFP) for this year's Partnership Grants to all Qualified Legal Services Projects currently receiving funding from the Legal Services Trust Fund Program. In addition, general and focused outreach were conducted to encourage all eligible programs, and in particular organizations servicing specific under-served regions of the state, to

consider submitting proposals. The RFP in Attachment C sets forth selection criteria and describes the selection process.

Selection Criteria

The Budget Act contains four essential elements for Partnership Grants:

- Recipients must be organizations that are eligible for a Legal Services Trust Fund Program grant.
- The funds must be granted for joint projects of legal services programs and courts.
- The services must be for indigent persons as defined in the Trust Fund Program statute.
- The services must be for self-represented litigants.

As previously reported to this council, administration of the Partnership Grants program began in 1999 with a discussion among commission members, court staff, legal services program directors, and AOC and commission staff regarding these requirements. This group concluded, and the commission concurred, that it was important to give courts and legal services programs considerable latitude to develop effective models to address their particular needs and resources. The commission has made a commitment in the RFP for each round of grants to fund a range of projects to address different needs. The proposals that were eventually funded include projects, for example, in both urban and rural areas, in larger and smaller counties, projects that address various areas of law, new projects as well as expansions of existing projects, and so forth.

This commitment was retained in the RFP for this year's round of grants. Additional discussion was conducted, during a July meeting of the Partnership Committee of the Trust Fund Commission, together with representatives of the Administrative Office of the Courts, to discuss priorities and policies to be used in outreach and funding decisions. Pursuant to the conclusions reached at that meeting, in addition to general distribution of the RFP, additional efforts were also made to invite selected programs to apply for new grants that would serve regions of the state that are traditionally resource-poor.

Partnership grants have been viewed since the beginning of the program as "seed money" for new efforts, and projects selected for funding are expected to find alternate sources of funding for a significant part of each project after three years of partnership support and to be independent of the Partnership Grants Program after no more than five years. The commission remains committed to providing funding to successful projects for as long as three years, or even longer in some cases, but

wants also to be able to fund new projects. We have encouraged programs to identify alternate sources of funding, by cutting the size of grants to projects returning for a fourth or fifth year of funding – in some cases by 50% or more – we can also try to wean them from reliance on this funding, and can propose to fund some brand new projects.

However, at the July 2008 meeting of the Partnership Committee of the Trust Fund Commission, the committee expressly recognized the critical role that some Partnership-funded projects have assumed in some regions where fundraising continues to be an extraordinary challenge and alternate resources do not exist. Therefore, this year the Committee and its advisors chose to soften their practice of strict weaning from funding and termination of funding after five years, where exceptional and compelling circumstances so dictate. Consequently, while this year's grantees include many new projects and first-time programs, there is also one project that is being funded for a sixth year of service to a vast and underserved region of northern California.

As in past years, we sought and received proposals that span a wide range of substantive, procedural, technical and programmatic solutions. All are required to produce the following:

- A letter of support from the applicable court's presiding judge.
- Written agreements between the legal services programs and the courts. As part of the grant process, we require recipients to develop a Memorandum of Understanding with the cooperating court indicating how the joint project, the court, and any existing self-help center, including the family law facilitator as appropriate, will work together.
- Plans to provide for lawyers to assist and to provide direct supervision of paralegals and other support staff.
- Protocols to minimize conflicts of interest, or to address them as needed, including: what resources are available to individuals who cannot be served for any reason; what would be the relationship between the provider and the pro per litigant; equivalency of services for those posing a conflict; and other similar issues.
- A plan to anticipate and meet the needs of litigants who are not within the legal services provider's service area or are ineligible for their services. While this can be a challenge for organizations with limited funding, a number of applicants have developed collaborations with other legal services providers that facilitate a broad availability of services. These solutions are being studied by the commission for possible applicability to other programs.

- A plan to address the needs of unrepresented litigants who do not meet the financial eligibility requirements (e.g., by providing general information in the form of local information sheets, videos, workshops, etc.). Programs that have learned interesting lessons in this area are being closely evaluated so that ideas may be gleaned which might assist other programs.
- A clearly stated policy regarding administration of financial eligibility standards, and established protocols to observe that policy.
- A plan for project continuity, including efforts to identify and secure additional funding within three years and to be free of Partnership support after five years.
- A multi-phase evaluation plan including such components as surveys, interviews, focus groups, courtroom observations, and file reviews, with a commitment to submit both quantitative and qualitative project results in a report within three months of the end of the grant year.

Because all recipients of the Partnership Grants are organizations that already participate in the Legal Services Trust Fund Program, they are already subject to oversight and reporting requirements. The commission has developed additional reporting requirements and evaluation procedures to apply specifically to the work to be done under Partnership grants. Grantees will be provided with special training and assistance in developing and executing evaluation plans.

Review and Selection Process

The Chief Justice continues to appoint one-third of the members of the Legal Services Trust Fund Commission, plus three advisors. All of them participate actively in the commission's work, with each serving or having served on one of its three standing committees, including the Partnership Grants Committee.

The Partnership Grants Committee of the Legal Services Trust Fund Commission is responsible for evaluating the proposals and recommending successful applicants to the full commission. The chair of the Council has appointed one-third of the commission's voting members, plus three non-voting judges. (The judges participate fully – and vote – during committee considerations; they participate fully but do not vote in full commission deliberations.) A list of the committee members is provided in Attachment D.

Committee members were each assigned primary responsibility to review three or four applications, and were then divided into evaluation "teams" with a commission staff member providing background and to conduct any further necessary follow-up.

Committee members completed an evaluation form (Attachment E) to ensure that each proposal addressed the basic requirements and that key issues had been discussed with the cooperating court. The form also provided a structure for evaluating how well each proposal met a set of thirteen discretionary criteria that, together, give a broad but accurate picture of program strategy and organization.

After completing these individual reviews, committee members then met as evaluation teams to discuss specific concerns or issues arising as to any specific project. The full committee then met on October 29 to select successful proposals and settle upon tentative allocations based on individual and subcommittee evaluations. Staff obtained advice from programs tentatively scheduled to receive significantly less than they had requested in their proposals, to resolve outstanding programmatic questions and ensure that proposed projects would still be viable under the suggested funding structure. These proposed grants, adjusted by staff pursuant to further investigations conducted after October 29 at the direction of the Partnership Grants Committee, were reviewed again by the Committee in conference on November 14, and subsequently presented to the commission for approval on November 17.

The commission is satisfied that all grant amounts represent sufficiently substantial investments as to provide meaningful support for valuable projects.

Overview of Applications and Proposed Grants

For the \$1,600,000 available in grants, the commission received a total of 36 applications, seeking a total of \$2,639,891. Proposals were received for refunding from 20 of the 24 projects funded last year, as well as one that had been funded but not initiated in calendar 2007. Additionally, fifteen new Partnership grant applicants requested first-time funding.

All of the recommended grants involve a collaboration between at least one legal services program and one court. Some are creative partnerships among multiple legal services programs, courts, and local community groups. Several propose to utilize technology to make services more accessible, though all would be located at least partly on-site at (or in close proximity to) the courthouse.

The recommended grants reflect a mix of geographic areas and of program types. All include a high quality of work to be performed, high demand for services, and innovative approaches to maximizing the impact of the grant. The commission is requesting your approval for the following grant awards:

| | |
|--|--------------|
| BAY AREA LEGAL AID | |
| Domestic Violence Restraining Order Clinic | \$39,000.00 |
| BET TZEDEK LEGAL SERVICES | |
| Elder Law Project | \$126,000.00 |

| | |
|---|-------------|
| CALIFORNIA RURAL LEGAL ASSISTANCE, INC. San Joaquin County Landlord/Tenant and Self Help Pro Per Clinic | \$70,000.00 |
| CALIFORNIA RURAL LEGAL ASSISTANCE, INC. Stanislaus County Landlord/Tenant Pro Per Clinic | \$55,000.00 |
| CENTRAL CALIFORNIA LEGAL SERVICES Kings County - Domestic Violence Rural Access Partnership | \$54,000.00 |
| CONTRA COSTA SENIOR LEGAL SERVICES Senior Self Help Clinic | \$20,000.00 |
| EAST BAY COMMUNITY LAW CENTER Alameda County Clean Slate Clinic | \$52,000.00 |
| ELDER LAW & ADVOCACY Bilingual Conservatorship Clinic | \$40,000.00 |
| GREATER BAKERSFIELD LEGAL ASSISTANCE Family Law Access Project (FLAP) | \$65,000.00 |
| LAW CENTER FOR FAMILIES Alameda County Family Law Collaborative | \$30,000.00 |
| LEGAL AID FOUNDATION OF LOS ANGELES Torrance Self-Help Legal Access Center | \$45,000.00 |
| LEGAL AID FOUNDATION OF SANTA BARBARA COUNTY Legal Resource Center (LRC) in Lompoc | \$68,000.00 |
| LEGAL AID SOCIETY OF ORANGE COUNTY Central Justice Center Self-Help Center | \$58,000.00 |
| LEGAL AID SOCIETY OF SAN DIEGO Civil Harassment Temporary Restraining Order Program: East County Courthouse | \$70,000.00 |
| LEGAL AID SOCIETY OF SAN DIEGO Unlawful Detainer Assistance Program: South County Courthouse | \$70,000.00 |
| LEGAL AID SOCIETY OF SAN MATEO COUNTY San Mateo County Landlord/Tenant Clinic | \$40,000.00 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA Mendocino County Self Help Legal Access Center | \$55,000.00 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA Shasta Legal Information and Assistance Project | \$45,000.00 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA Solano County Restraining Order Clinic (SCROC) | \$45,000.00 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA Unlawful Detainer Mediation Project | \$28,000.00 |

| | |
|---|--------------------|
| LOS ANGELES CENTER FOR LAW AND JUSTICE Case Assessment/System Evaluation (CASE) Project | \$70,000.00 |
| NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY Domestic Abuse Self-Help Project (DASH) | \$55,000.00 |
| NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY San Gabriel Valley Self-Help Legal Access Center | \$65,000.00 |
| PRO BONO PROJECT SILICON VALLEY Domestic Violence Self-Representation Assistance | \$30,000.00 |
| PUBLIC COUNSEL Appellate Self-Help Clinic | \$50,000.00 |
| PUBLIC LAW CENTER Orange County Courthouse Guardianship Clinic | \$30,000.00 |
| SAN DIEGO VOLUNTEER LAWYER PROGRAM North County Civil Harassment Restraining Order Clinic | \$60,000.00 |
| SAN FRANCISCO BAR VOLUNTEER LEGAL SERVICES Family Law Litigants Without Lawyers Projects | \$60,000.00 |
| SENIOR CITIZENS LEGAL SERVICES Conservatorship & Elder Abuse Project (CEAP) | \$40,000.00 |
| THE WATSONVILLE LAW CENTER Language Access Project | \$65,000.00 |
| Total | \$1,600,000 |

Highlights of each of project are listed in Attachment B. The successful applicants are strong projects that reflect a range of characteristics as described in the RFP and the selection criteria.

BILL NUMBER: AB 1781, CHAPTER 268: BUDGET ACT OF 2008.
FILED WITH SECRETARY OF STATE SEPTEMBER 23, 2008
APPROVED BY GOVERNOR SEPTEMBER 23, 2008

INTRODUCED BY Assembly Member Laird January 15, 2008: *An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.*

This bill would make appropriations for support of state government for the 2008-09 fiscal year.

This bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.00. This act shall be known and may be cited as the "Budget Act of 2008."

0250-101-0001 - For local assistance, Judicial Branch..... 18,996,000

Schedule:

| | |
|--|-------------|
| (1) 45.10 - Support for Operation of Trial Courts | 7,017,000 |
| (2) 45.55.010 - Child Support Commissioners Program (Article 4 (commencing with Section 4250) of Chapter 2 of Part 2 of Division 9 of the Family Code) | 47,927,000 |
| (3) 45.55.020 - California Collaborative and Drug Court Projects. | 5,791,000 |
| (4) 45.55.030-Federal Child Access and Visitation Grant Program..... | 1,600,000 |
| (5) 45.55.050-Federal Court Improvement Grant Program..... | 700,000 |
| (6) 45.55.070-Grants – Other | 745,000 |
| (7) 45.55.080-Federal Grants – Other | 775,000 |
| (8) 45.55.090-Equal Access Fund Program. | 10,776,000 |
| (9) Reimbursements..... | -53,260,000 |
| (10) Amount payable from Federal Trust Fund (Item 0250-101- 0890)..... | -3,075,000 |

Provisions:

1. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (8) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Ten percent of the funds in Schedule (8) shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds in Schedule (8) shall be distributed consistent with

Attachment A

Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

[....]

3. Notwithstanding subparagraph (B) of paragraph (1) of subdivision (a) of Section 77202 of the Government Code, the growth factor for this item for the 2008-09 fiscal year has been adjusted per the Consumer Price Index factor of 2.7 percent.

[.....]

0250-101-0932--For local assistance, Judicial Branch, payable from the Trial Court Trust Fund 3,045,408,000

Schedule:

| | |
|---|---------------|
| (1) 45.10-Support for Operation of the Trial Courts..... | 2,621,571,000 |
| (2) 45.25-Compensation of Superior Court Judges. | 296,112,000 |
| (3) 45.35-Assigned Judges..... | 26,047,000 |
| (4) 45.45-Court Interpreters | 91,585,000 |
| (5) 45.55.060-Court Appointed Special Advocate (CASA) Program | 2,278,000 |
| (6) 45.55.065-Model Self-Help Program..... | 991,000 |
| (7) 45.55.090-Equal Access Fund Program | 5,622,000 |
| (8) 45.55.095-Family Law Information Centers..... | 346,000 |
| (9) 45.55.100-Civil Case Coordination..... | 856,000 |

Provisions:

1. Notwithstanding Section 26.00, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by the Judicial Council.

[....]

10. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (8) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (8) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent

Attachment A

with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

11. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

12. Notwithstanding subparagraph (B) of paragraph (1) of subdivision (a) of Section 77202 of the Government Code, the growth factor for this item for the 2008-09 fiscal year has been adjusted per the Consumer Price Index factor of 2.7 percent.

[...]

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---|--|-------------|----------------------------------|---|-------------------|
| ASIAN PACIFIC AMERICAN LEGAL CENTER | <i>Asian Language Assistance for Self- Represented Litigants</i> | Los Angeles | New proposal | This project would provide interpretation assistance in Asian languages to Resource Center staff at the Resource Centers in Downtown LA and in Pasadena. APPLICATION WITHDRAWN | 0 |
| BAY AREA LEGAL AID | <i>Domestic Violence Restraining Order Clinic</i> | San Mateo | Fifth year | Clinic staff assist pro per drop-ins filing or responding to domestic violence related restraining order applications to complete the applications, review pleadings, and draft orders. Workshops are available to educate petitioners. FLF provides commensurable services for respondents. | \$39,000 |
| BET TZEDEK LEGAL SERVICES | <i>Elder Law Project</i> | Los Angeles | Third year | This project operates out of four courthouses, including the Stanley Mosk Courthouse in Downtown LA, Norwalk, Torrance and Van Nuys. Project staff assist seniors, the disabled, and their families with conservatorships and elder abuse restraining orders. | \$126,000 |
| CALIFORNIA RURAL LEGAL ASSISTANCE | <i>Landlord/Tenant and Small Claims Pro Per Assistance Project</i> | San Joaquin | Fourth year | The Court Administration Building is the site for this project in which a paralegal provides legal information on the judicial process specific to landlord-tenant and small claims cases. 1:1 assistance in forms completion, clinic increased low-income landlord access to legal services. | \$70,000 |

Attachment B

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|--|--|--------------|----------------------------------|--|-------------------|
| CALIFORNIA RURAL LEGAL ASSISTANCE, INC. | <i>Stanislaus County Landlord/Tenant Pro Per Clinic</i> | Stanislaus | New proposal | This project is a replication of the successful San Joaquin (Stockton) clinic. It will be located in an annex to the CRLA Modesto office. Stockton's clinic coordinator will train staff of the new project. | \$55,000 |
| CENTRAL CALIFORNIA LEGAL SERVICES, INC. | <i>Kings County Domestic Violence Rural Access Partnership</i> | Kings | Fifth year | This project increases access for victims of domestic violence who are residents in Kings County. The project places paralegal staff at a community-based site served by a court-funded filing service, eliminating distance barriers in this isolated community. Respondents are served by program staff at bi-weekly workshops. Community education complements direct services. | \$59,000 |
| CONTRA COSTA SENIOR LEGAL SERVICES | <i>Senior Self Help Clinic</i> | Contra Costa | New proposal | Assisting seniors in conjunction with a new "elder court" calendar, information and assistance will be provided on elder abuse TROs, consumer protection, credit disputes and financial issues. | \$20,000 |
| EAST BAY COMMUNITY LAW CENTER | <i>Alameda County Clean Slate Clinic</i> | Alameda | Fourth year | This project conducts a self-help clinic for people seeking to remove civil barriers to employment, housing, and civic participation resulting from old criminal convictions. In collaboration with the courts, District Attorney, Public Defender, and Probation Department, an attorney trains and supervises volunteer attorneys and law students to provide 1:1 review of criminal record histories, advise individuals of the relief available, and assist them in pursuing those remedies. | \$52,000 |

Attachment B

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|--|--|----------|----------------------------------|--|-------------------|
| ELDER LAW & ADVOCACY | <i>Bilingual Conservatorship Clinic</i> | Imperial | New proposal | A paralegal with attorney supervision will provide information, education and forms assistance to persons seeking conservatorships or alternatives thereto from a courthouse location. | \$40,000 |
| FAMILY VIOLENCE LAW CENTER | <i>Alameda County In-Court Attorney Assistance Project</i> | Alameda | New Proposal | This project would provide a range of legal assistance to self-represented litigants seeking domestic violence restraining orders in Alameda County, including same-day attorney representation. APPLICATION WITHDRAWN | \$0 |
| GREATER BAKERSFIELD LEGAL ASSISTANCE, INC. | <i>Family Law Access Project</i> | Kern | Second year | Indigent pro per litigants with legal issues related to child custody, visitation and support matters are prepared for their hearings in the courtroom. Services will be provided through a series of three workshops to be conducted weekly, individual appointments for litigants who need additional assistance with completing required forms and a training video on "How to Present Your Case in Court." | \$65,000 |
| LAW CENTER FOR FAMILIES | <i>Family Law Collaborative</i> | Alameda | Fifth year | This is a collaboration between the Superior Court of Alameda, Law Center for Families, and the Alameda County Bar's VLSC to provide a range of family law assistance. Staff and pro bono attorneys provide information regarding the legal process, and assist with document preparation at Day-of-Court clinics in Oakland, Hayward and Fremont courts. | \$30,000 |

Attachment B

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---|---|---------------|----------------------------------|--|-------------------|
| LEGAL AID FOUNDATION OF LOS ANGELES | <i>Torrance Self-Help Legal Access Center</i> | Los Angeles | Second year | This project provides small group or 1:1 assistance in the areas of family law, landlord-tenant law, civil harassment, debt collection and torts. | \$45,000 |
| LEGAL AID FOUNDATION OF SANTA BARBARA COUNTY | <i>Legal Resource Center in Lompoc</i> | Santa Barbara | Second year | This project functions as a walk-in information and assistance center for self-represented litigants. Project staff will offer 1:1 consultations, providing general legal information and/or information regarding court procedures. Staff will also provide assistance with completion of legal forms and applications. | \$68,000 |
| LEGAL AID OF MARIN | <i>Marin County Small Claims Court Outreach</i> | Marin | New proposal | This project is a collaboration with the Marin County Superior Court and the Legal Self Help Center of Marin to conduct broad outreach, with an emphasis on low-income communities, to promote the most effective use of the Small Claims Court process by self-represented litigants. | \$0 |
| LEGAL AID SOCIETY OF ORANGE COUNTY | <i>Central Justice Center Self-Help Center</i> | Orange | New proposal | A legal services attorney will augment existing court staffing of one attorney and one paralegal, to provide information and assistance on issues related to UD's, civil harassment, fee waivers, small claims, etc. | \$58,000 |

Attachment B

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---|--|-------------|----------------------------------|---|-------------------|
| LEGAL AID SOCIETY OF ORANGE COUNTY | <i>Compton Self- Help Center</i> | Los Angeles | Sixth year | This self-help center houses a variety of services that help walk-in pro per court users identify and explore their legal options, and offers I-CAN! and the Judicial Council website to fill out and file necessary paperwork. Workshops for income-eligible users focus on divorce, paternity, small claims, and eviction defense. | \$0 |
| LEGAL AID SOCIETY OF SAN DIEGO, INC. | <i>Civil Harassment Temporary Restraining Order Program (East County Courthouse)</i> | San Diego | Second year | This proposal will support expansion of existing civil TRO assistance on a FLF model, with quarterly community outreach and after-service memos on court processes. Areas of focus include neighbor disputes, love triangles, and assisting juvenile or adult children. Written materials in English and Spanish; translation assistance in Arabic. | \$70,000 |
| LEGAL AID SOCIETY OF SAN DIEGO, INC. | <i>Unlawful Detainer Assistance Program-South County Courthouse</i> | San Diego | New proposal | Focused on significantly monolingual communities, this fully bilingual clinic will assist with UD actions for low-income plaintiffs and defendants, fee waivers, and service assistance. All documents will be translated. Outreach is also planned. | \$70,000 |
| LEGAL AID SOCIETY OF SAN MATEO COUNTY | <i>San Mateo County Landlord/Tenant Clinic</i> | San Mateo | New proposal | This project provides services in landlord/tenant matters. Self-represented litigants who visit the clinic are immediately provided with the necessary pleadings, which can then be filed with the clerk of the court in the same building. A primary objective is to reduce the incidence of involuntary displacement and homelessness due to default judgments. | \$40,000 |

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---------------------------------------|---|------------|----------------------------------|---|-------------------|
| LEGAL ASSISTANCE FOR SENIORS | <i>Partnership to Assist Guardianship Litigants</i> | Alameda | Second year | Low-income and indigent litigants are given help with the procedural requirements of guardianship. This program serves petitioners 50 years of age or older, who may or may not be related to the minor child. | \$0 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA | <i>Unlawful Detainer Mediation Project</i> | Butte | Fifth year | This program provides mediation services to all eligible litigants in unlawful detainer cases in the Butte Superior Court. Services are provided at four Superior Court locations. Mediation services are conducted by attorney-mediators; settlement negotiations offer options not available through traditional trial methods. If an agreement is reached, the mediator files a stipulation with the appropriate court. Each mediation takes from 1-2.5 hours. | \$28,000 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA | <i>Self-Help Legal Access Center</i> | Mendocino | Third year | This project assists self-represented litigants fill out and file necessary forms, and provides assistance drafting orders and motions regarding guardianships, small claims, domestic violence, elder abuse, civil harassment and family law. | \$50,000 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA | <i>Tommy Clinkenbeard Legal Clinic</i> | Sacramento | New Proposal | Housed at Loaves and Fishes (nonprofit organization), this clinic assists homeless convert monetary fines to community service sentences, and as a primary function, provides civil legal assistance in housing, public benefits, criminal records expungement. | \$0 |

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---|--|--|----------------------------------|--|-------------------|
| LEGAL SERVICES OF NORTHERN CALIFORNIA | <i>Legal Information and Assistance Project</i> | Shasta, Lassen, Siskiyou, Trinity | Sixth year | This project assists low-income self-represented civil law litigants in four remote counties. Services are provided in a clinic setting focusing on assisting consumers understand state and local civil law requirements and procedures on filing, and responding to pleadings, meeting service and notice requirements, and filing and obtaining enforceable orders after hearing. | \$45,000 |
| LEGAL SERVICES OF NORTHERN CALIFORNIA | <i>Solano County Restraining Order Clinic (SCROC)</i> | Solano | Third year | Direct personal assistance is provided to low-income pro per litigants seeking domestic violence or civil harassment restraining orders, and assistance with elder abuse and workplace violence. Services are provided from an office at the Vallejo courthouse. | \$45,000 |
| LOS ANGELES CENTER FOR LAW AND JUSTICE | <i>Case Assessment/ System Evaluation (CASE) Project</i> | Los Angeles | New proposal | L.A. Center will pilot a Case Flow Management System and create a "virtual courtroom." Common problems that arise in family law cases will be identified and flagged by court staff. Litigants with cases fitting these profiles will be grouped together and ordered to appear in court on the same day. CASE users will then receive day-of-court assistance tailored to the particular problem arising in the case. | \$70,000 |

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|--|---|-------------|----------------------------------|--|-------------------|
| NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY | <i>Domestic Abuse Self-Help Project (DASH)</i> | Los Angeles | Fourth year | This project converted existing Domestic Violence Clinics from a representation model to a self-help model. 1:1 assistance and workshops are supervised by program staff and services are primarily provided by volunteers. In Antelope Valley, DASH co-located and integrated services with SHLAC expanding hours and services. Weekly respondents workshops are conducted. Two hearing preparation workshops are held in Van Nuys and Antelope Valley. A pilot computer program will allow litigants to complete their own paperwork. NLS is networking its computer system so off-site attorney can review documents on-line. | \$55,000 |
| NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY | <i>San Gabriel Valley Self-Help Legal Access Center</i> | Los Angeles | New proposal | This project seeks to expand court services to the Pasadena Courthouse, the only courthouse without a self-help program. This hybrid model targets the large underserved API community and will provide legal information, workshops, clinics and computer assistance in family law, housing and general civil matters. It will offer self-help assistance helping prepare court forms and explaining court procedures and rules. It will utilize culturally sensitive materials. | \$65,000 |
| PRO BONO PROJECT SILICON VALLEY | <i>Domestic Violence Self Representation Assistance</i> | Santa Clara | Third year | Separate workshops are held in courtrooms for petitioners and respondents, preparing them to present their cases at the restraining order hearing and informing them of the ramifications after hearing. Volunteer attorneys staff the workshops. | \$30,000 |

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|--|---|---------------|----------------------------------|--|-------------------|
| PUBLIC COUNSEL | <i>Appellate Self-Help Clinic</i> | Los Angeles | Third year | This clinic, situated at the Court of Appeal in downtown Los Angeles, provides technical assistance, brief counsel and advice to pro se litigants. If appropriate, litigants are referred for pro bono representation. | \$50,000 |
| PUBLIC LAW CENTER | <i>Orange County Courthouse Guardianship Clinic</i> | Orange | New proposal | The Orange County Courthouse Guardianship Clinic is a coordinated effort between PLC, the Orange County Superior Court and the Orange County Bar Association. The clinic offers self-represented parties pro bono assistance dealing with the legal process surrounding guardianship proceedings. | \$30,000 |
| SAN DIEGO VOLUNTEER LAWYER PROGRAM | <i>North County Civil Harassment Restraining Order Clinic</i> | San Diego | New proposal | Partnership money is sought to support an ongoing effort providing civil harassment advice and assistance, replacing funding reductions from the local bar. | \$60,000 |
| SAN FRANCISCO BAR VOLUNTEER LEGAL SERVICES | <i>Family Law Litigants without Lawyers Project</i> | San Francisco | Second year | This is a collaborative project between the Bar Association of San Francisco's VLSP and the San Francisco Superior Court's Unified Family Court, Office of the FLF and the Family Law Self-Help Center. Project staff assists respondents in domestic violence restraining order cases, providing individual assistance to family law litigants with child custody matters and other specialized needs, preparing family law litigants for what to expect in Court, and assisting the Self-Help Center process litigants at the Triage Window. | \$60,000 |

Attachment B

| PROGRAM LEGAL NAME | PROJECT NAME | COUNTY | NEW OR RETURNING APPLICANT | DESCRIPTION | PROPOSED AWARD |
|---------------------------------------|---|------------|----------------------------------|--|--------------------|
| SENIOR CITIZENS' LEGAL SERVICES | <i>Conservatorship & Elder Abuse Project (CEAP)</i> | Santa Cruz | Second year | This project provides legal assistance, education and referral services to litigants seeking conservatorships and elder abuse restraining orders. Staff will also assist litigant's complete required probate and local forms for conservatorships. | \$40,000 |
| THE WATSONVILLE LAW CENTER | <i>Language Access Project</i> | Santa Cruz | New proposal | This project will provide outreach and education to the Spanish-speaking community regarding access to the courts. An on-site bilingual attorney will assist community members obtain legal information and will fill out court forms and pleadings. | \$65,000 |
| TOTAL | | | | | \$1,600,000 |

Attachment B



THE STATE BAR OF CALIFORNIA

LEGAL SERVICES TRUST FUND PROGRAM

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: (415) 538-2252; FAX: (415) 538-2529

Stephanie L. Choy
Managing Director
(415) 538-2249

Lorna Choy
Sr. Grants
Administrator
(415) 538-2535

Denise Teraoka
Grants Administrator
(415) 538-2545

Daniel Passamaneck
Grants Administrator
(415) 538-2403

Robert G. Lee
Sr. Accountant
(415) 538-2009

TO: Executive Directors

FROM: Stephanie L. Choy, Managing Director
Legal Services Trust Fund Program

DATE: August 5, 2008

**SUBJECT: REQUEST FOR PROPOSAL:
2009 EQUAL ACCESS FUND PARTNERSHIP GRANTS**

We are pleased to issue this Request for Proposal (RFP) for the tenth grant period of Partnership Grants (calendar year 2009). This RFP is for both current recipients of Partnership Grants applying for refunding and new applicants.

Submit an original and five copies (6 total) of the proposal. Mail or deliver proposals to:

**Lorna Choy, Senior Grants Administrator
Legal Services Trust Fund Program
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639**

Proposals must be received by Friday, September 12, 2008. Additionally, please e-mail your proposal to trustfundprogram@calbar.ca.gov.

Please note that successful applicants for 2008-09 Partnership Grants must attend a one-day meeting of grantees and court partners in mid-January for purposes of planning, coordination, training and networking (exact date and place to be determined).

The RFP package includes **three** sections:

- Background Information, Process and Criteria (pages 1-3).
- Instructions (pages 4-13).
- Forms (following page 13).

You will find the electronic version of this package at www.calbar.ca.gov/ioltaapplicationmaterials. If you have questions, contact this office by e-mail at trustfundprogram@calbar.ca.gov, or call a Grants Administrator:

| | |
|--------------------|----------------|
| Lorna Choy | (415) 538-2535 |
| Daniel Passamaneck | (415) 538-2403 |
| Denise Teraoka | (415) 538-2545 |

You may also contact Bonnie Hough at the Administrative Office of the Courts at (415) 865-7668 or bonnie.hough@jud.ca.gov.

THE LEGAL SERVICES TRUST FUND PROGRAM EQUAL ACCESS FUND - PARTNERSHIP GRANTS

REQUEST FOR PROPOSAL for 2009 GRANTS

For All Applicants

BACKGROUND INFORMATION, PROCESS AND CRITERIA

* * * * *

BACKGROUND INFORMATION

The State Budget Act allocates funds to the Equal Access Fund “to improve equal access and the fair administration of justice.” The Fund is given to the Judicial Council to be distributed through the State Bar’s Legal Services Trust Fund Program. A total of \$1,600,000 is available for Partnership Grants to legal services programs “for joint projects of courts and legal services programs to make legal assistance available to pro per litigants.”

The administration of Partnership Grants funds is different from other Trust Fund Program grants. This is a competitive grant process. The Trust Fund Commission and Judicial Council have complete discretion and flexibility to distribute the funds in the way they deem most appropriate. Once grant decisions have been made and approved by the Judicial Council, they will be final. There is no appeals process.

TIMING AND GRANT PERIOD

Partnership Grant proposals must be received in the Trust Fund Office by **Friday, September 12, 2008**. The selection process will be concluded in December. Grants will be awarded for a one-year period commencing January 1, 2009.

GRANT SIZE

Historically, grants have been awarded in the range of \$30,000 to \$80,000. The Commission and Council may exercise flexibility in the upper range upon a strong showing of good cause. The Commission will notify each successful applicant of a final grant amount and will request revisions to the proposed budget if that amount varies from the requested amount.

SEED MONEY/FUTURE FUNDING

These grants are intended to be “seed money” to help support projects that must eventually be funded from general operating or other sources of revenue. Applicants **must** describe plans for obtaining future funding from other sources for these projects. A project that has received funding for five years will not be considered for renewal except under extraordinary circumstances.

ELIGIBILITY REQUIREMENTS FOR PARTNERSHIP GRANTS

To be eligible to receive a Partnership Grant, there are four basic requirements:

1. **Qualified Legal Services Projects.** Applicants must be current recipients of Legal Services Trust Fund Program grants.
2. **Joint Court/Legal Services Program Projects.** Proposals must be for joint projects of courts and legal services programs, preferably at or near the courthouse.
3. **Indigent.** Recipients of services funded by the grant must be indigent, as defined under Business and Professions Code §6213(d).
4. **Self-Represented Civil Litigants in State Court.** Use of these funds is restricted to providing assistance to litigants who are pursuing matters in state court without the assistance of counsel. Funds cannot be used to make court appearances on behalf of users of the self-help project.

SELECTION CRITERIA FOR PARTNERSHIP GRANTS

The Commission will consider the extent to which project planners have thoroughly addressed all the issues identified in this RFP, and will select a range of high caliber projects around the state that serve different client constituencies with a variety of legal problems.

In its review, the Commission will consider how effectively the proposal addresses the following issues:

1. **Impact of Services.** The Commission will consider the extent to which the project will address the needs of the targeted population resulting in meaningful and timely outcomes.
2. **Collaboration with Cooperating Court.** This must be a joint project with the court. The Commission will consider the extent to which the applicant and

cooperating court currently collaborates, or plans to collaborate regarding access for self-represented litigants.

3. **Integration with Court-Based Services.** The Commission will consider the extent to which the applicant's services or planned services are integrated with other court-based services, including the Family Law Facilitator, self-help centers and other offices of the cooperating court.
4. **Court's Impartiality.** The Commission will evaluate all proposals to determine their ability to protect the court's independence and impartiality. If the project intends to serve only one side of a matter/case (e.g., only tenants, or only petitioners), the Commission requires the applicant to demonstrate that it has sufficiently explored all the implications of this decision with the court, and identified alternate legal resources that can provide assistance to the opposing parties.
5. **Conflict of Interest.** If a project establishes an attorney-client relationship with the litigants, the Commission will evaluate the availability of meaningful referrals for individuals who are not eligible to use the services because they present a conflict of interest for the project.
6. **Information and Referrals.** The Commission will consider the method(s) by which the project will provide information and referrals to litigants who are not eligible to use the services for any reason.
7. **Additional Support.** In anticipation of the reduction or elimination of a Partnership Grant, after two years of funding, the Commission will consider the applicant's diligence in pursuing other support for the continuation of the project. It will take into account your efforts to pursue other sources of funding and support, as well as funds or support actually contributed, such as commitments of the program's general operating revenue, recruitment of pro bono volunteers and in-kind support.
8. **Evaluation.** All applicants must incorporate evaluation into their Partnership proposal (refer to No. 11 of the Instructions).

EQUAL ACCESS FUND - PARTNERSHIP GRANTS

2009 REQUEST FOR PROPOSAL

FOR ALL APPLICANTS

INSTRUCTIONS

* * * * *

Proposals will consist of the following components:

- A. Two-page Project Abstract (using attached form)
- B. Ten-page Project Narrative (using attached form)
- C. Assurances for Partnership Grants (using attached form)
- D. Project Budget (using attached form)
- E. Budget Narrative (using attached form)
- F. Indication of Support from Cooperating Court

Submit an **original and five copies (6 total)** of the proposal. Mail or deliver proposals to:

**Lorna Choy, Senior Grants Administrator
Legal Services Trust Fund Program
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639**

Proposals must be received in the Trust Fund Office by **Friday, September 12, 2008**. Also e-mail your entire proposal to **trustfundprogram@calbar.ca.gov**.

FORM A. PROJECT ABSTRACT

Use the two-page form to provide general project information and to indicate the amount requested. The summary description, standing alone, must fairly and accurately summarize the proposed project.

FORM B. PROJECT NARRATIVE

The Project Narrative must be in the following format, using the numbers and titles set forth below. Each question must be answered in the narrative. The proposal must be self-contained. Do not refer the reader to any prior applications, proposals or other documents.

The Project Narrative can be up to ten pages in length, single-spaced, in lettering no smaller than 12 points. Pages must be numbered. The 10-page limit does not include the project abstract, project budget, budget narrative, assurances, the letter of support from the court, or the Memorandum of Understanding.

Applicants for refunding: Respond to the questions based on your organization's experience to date with your Partnership Grant project. Describe any changes you intend to make.

1. Program's Qualifications

Provide an overview of your program's qualifications, highlighting experience providing assistance to self-represented litigants and the expertise of staff members who are responsible for the project.

2. Needs Assessment

Describe the methods used to select the subject matter to be addressed and services to be offered by the project, including a clear rationale for the decision. Describe the demographics of the client community and the geographic area served by the project. Explain why the target population is in particular need of services on an ongoing basis. Include information about the lack of other legal resources and any other special factors.

3. Goals and Objectives

Describe the project's goals and objectives and, if you are applying for refunding, whether they have changed over the life of the project or are expected to change for this funding cycle. Include quantitative goals and estimates of the actual number of litigants to be served. Highlight the outcomes to be achieved for users of the project. Discuss the involvement of the court and other collaborative partners in setting and achieving the goals and objectives.

4. Types of Services and Resources Available

Describe the subject areas to be covered and types of services to be offered. Applicants for refunding must describe all changes envisioned for the proposed continuation of the project and the reasons for any such changes. Describe the specific kinds of legal problems you expect to address and how services will be delivered to users of the project.

Identify or list resources available to users of the project, including written materials, audio-visual resources and/or computer stations. Identify any new resources to be developed. Who will be responsible for preparing those materials or other resources? Will resources be available in multiple languages?

5. Litigant Eligibility and Subject Matter Screening

Describe how you will verify income eligibility for each litigant. Also describe the methods you will use to screen for subject matter eligibility.

6. Conflicts/Serving Both Sides/Attorney-Client Relationship

a. If the project expects to establish an attorney-client relationship with any users of its services, describe how you will check for conflicts. Will you have online access to the program's database, or will some other method be used to check for conflicts? Describe any conflicts panel you have established or plan to establish, and the referral protocols to be used.

b. If the project intends to serve only one party or side of a matter, explain why the project will limit its services in this way. The applicant **must** demonstrate that it has explored with the court all of the implications of this decision to serve one side, and has addressed any risk of an appearance of impropriety on the court's part. The letter from the presiding judge must clearly indicate that the court understands the implications and agrees with the program's decision to serve one side.

Describe all steps taken to ensure that the interests of the opposing parties have been considered. List all persons and/or offices with whom you have communicated that provide services in the courthouse, or in the relevant area(s) of law (e.g., public defender's office, association of landlords' attorneys, etc.).

c. If the project does not expect to establish an attorney-client relationship with users of its services, what methods will be used to make the litigant aware of any limitations on the scope of services provided? How will you ensure that users understand an attorney-client relationship will not be established?

7. Referral Protocols

Describe referral information that is being or will be provided to ineligible litigants:

a. How will you make *meaningful referrals* in situations where the project will serve only one side, or where a conflict arises? (A "meaningful referral" is one that directs the recipient of the referral to a source of information or advice that will actually assist the recipient.)

- 1) Describe the commitments made by the entities to which litigants will be referred. What arrangements have been made to expedite the referral process and to guarantee effective referrals?
 - 2) Describe the procedures and protocols used to ensure referred persons are being assisted in a *meaningful* manner by said entities.
 - 3) Describe how you will otherwise address the needs of unrepresented litigants. For example, will general information in the form of fact sheets, videos or other materials be available to those who are referred elsewhere?
- b. For litigants who are ineligible for services due to income, subject matter or residency, what arrangements will be made to provide them referrals or otherwise address their needs? Will general information in the form of fact sheets, videos or other materials be available to these persons?

8. Staffing, Training and Supervision

Describe the staffing for the project. If you expect to use volunteers, indicate the number of volunteers involved and whether there is a pro bono commitment in place for this project. How will staff and volunteers be trained? Who will be responsible for supervision? If the supervisor will not be on-site, describe the steps taken to ensure adequate supervision.

9. Technology and Equipment

Identify the equipment that is or will be available for the staff and volunteers of the project, including telephones, copiers, and computers. Explain how that equipment is or will be incorporated into the project's operations. If the equipment is or will be shared with other agencies, describe the ways that usage is or will be coordinated. Also identify any equipment that you now make, or plan to make, available directly to users of the project. What database systems and web-based legal resources will you utilize?

10. Site and Accessibility

Provide information about the location or planned location for the project, including its accessibility. How will you overcome language barriers and ensure that the services are culturally competent? If the project is not located at the courthouse, explain how you will help ensure that litigants follow up with the assistance received and otherwise overcome the distance barrier.

11. Evaluation

Annual submission of evaluation reports is a condition of funding. These reports help grantees and the Trust Fund Program assess whether project goals are being met, and to engage in a meaningful discussion about improvements and potential changes in direction. In addition, such reports can help other similar programs determine best practices, or pitfalls to be avoided. Both the discussion of methodology and the dissemination of findings are important for the effective and efficient use of Equal Access Fund money.

In general, all grantees will be required to report on the quantity of services they provide, their funding and expenditures, and to make an assessment of the quality and effectiveness of the project as a whole. Forms for recording the quantity of services provided, and program funding and expenditures, are available on the Trust Fund Program page of the State Bar Web site – <http://calbar.ca.gov/ioltaapplicationmaterials>. Select “Partnership Grants” from the left sidebar.

Grantees are asked to assess the quality and effectiveness of their services using a combination of evaluation methodologies that may include focus groups, customer surveys, interviews with court personnel, file review and courtroom observations. Materials providing guidance in undertaking such assessments are posted at the California Legal Advocates Web site. (From their home page, select the “Legal Services Trust Fund Evaluation Toolkit” link at the bottom of the page, and then click the “Evaluation Toolkit” link.)

All successful applicants will be required to submit an Evaluation Plan in March 2009. Information and details related to evaluation content and form will be provided to successful applicants following the planning and coordination meeting to be held in January 2009.

12. Timetable

For new projects, describe the proposed timetable for implementation of the project in 2009, including plans for each quarter of the grant year. For ongoing projects, describe the continuing work plan for 2009.

13. Project Continuity

Applicants **must** describe plans for obtaining future funding for their projects from other sources. Include fundraising efforts, commitments of future funding, in-kind contributions, etc. Applicants should have plans to obtain other funding for 50% to 100% of their project’s costs after three years of Partnership Grant funding, and to operate independent of the Partnership Grants Program after no more than five years.

For projects that have been funded for three years or more, explain the need for continued Partnership Grant funding. Indicate how much of the program's own general operating revenues have been committed to the project. Indicate all funding sources that you approached and the amounts actually raised for 2008. Specifically identify any funds that have been obtained by leveraging your Partnership Grant. If other funding or support was not obtained, explain the reasons why you were not able to garner this support.

Ordinarily, the Commission will not provide Partnership Grant funding for the same project for more than five years. However, recognizing that programs operating in rural locations face particularly difficult challenges related to fundraising, the Commission will consider an application for funding beyond the fifth year. Any applicant seeking a sixth year of funding must describe extraordinary circumstances that justify a departure from this policy. You must clearly demonstrate that the circumstances are exceptional and unusual. Please contact Trust Fund staff for further information before preparing such a proposal.

14. Collaborative Partners

Provide information about others who will collaborate on the project, as well as all in-kind support for the project. Include information about current and planned collaboration with other local legal services programs, the Family Law Facilitator, Family Law Information Center, other self-help projects in the court and community, the Clerk of the Court, and other offices of the cooperating court. Describe the effectiveness of any ongoing collaboration and any modifications that are envisioned. Explain steps that are being taken to help litigants avoid confusion about the different services available, and to minimize duplication of effort. If a subgrant of any Partnership Grant funds is envisioned, provide details for that arrangement, including plans for oversight and evaluation of the services provided by the subgrantee.

15. Collaborative Planning with the Court

Provide information about the court that has jointly agreed to sponsor this project, including the history of collaboration between the court and the applicant. Describe the general areas of responsibility that the court has agreed to assume, and those that will remain the responsibility of the applicant.

Existing projects should attach a copy of their current agreements with the court and identify any areas that will be the subject of revisions. Applicants must specifically address the following issues with the court:

- a. Assurance of the Court's Impartiality and Independence** – If the project proposes to provide services for only one party or side of a matter, the court must indicate its agreement and understanding of the

implications of this decision in its letter of support. Describe the discussions that have occurred to arrive at that decision and describe the contents of that understanding.

- b. Ongoing Coordination** – You must arrange for ongoing meetings with court personnel, no less often than quarterly, to discuss collaboration issues as they arise. You should develop formal agendas for these meetings. Services must be coordinated with all self-help providers in the participating court system, including the Family Law Facilitator and the Family Law Information Center, whether or not they provide assistance to the same litigants the project serves.
- c. Clear Distinction Between Parts of Delivery System** – You must identify existing services that the court makes available for self-represented litigants, and clarify how services provided through the Partnership Grant project are different. How will users of the services distinguish between the court's neutral role and your Partnership Grant project?
- d. Services Provided, Information and Referrals** – You must articulate a clear agreement about the types of legal issues covered by this project, resources available, and level of service provided to consumers, as well as clear protocols regarding information and referrals available for persons ineligible for services.
- e. Logistics** – There must be plans for:
 - **Security** – providing adequate security for staff, volunteers, and users of the project. Who will provide that security?
 - **Location/Hours** – the project's location and hours of operation for the provision of services must be clearly specified.
 - **Equipment/Supplies** – determining who will provide equipment and supplies. If equipment is to be shared with other offices, describe the limitations to be placed on their use and what, if any, reimbursement will be required.
 - **Shared Space** – addressing all issues that may arise if more than one project is sharing space at the court.
- f. Project Continuity** – There must be plans for discussion between the legal services program and the court regarding the ongoing nature of the proposed project, including whether and how the project can be continued following this grant year.

- g. Evaluation** – There must be plans for ongoing integral evaluation that gathers, organizes and incorporates input from both the legal services program and the court during and after the grant year to ascertain ways to improve the services.

FORM C. ASSURANCES FOR PARTNERSHIP GRANTS

Provide appropriate signatures for the Assurances.

FORM D. PROJECT BUDGET

Use the attached Project Budget form to provide an estimated project budget, including the amount requested for the upcoming funding cycle of Partnership Grants (Column 1), Other Trust Fund monies that the program will commit to the project (Column 2), and Other Non-Trust Fund monies (Column 3). Identify the value of in-kind contributions, if any, at Column 5. Carry-over Partnership Grant funds should be included at line 25.

FORM E. BUDGET NARRATIVE

Use the attached Project Budget Narrative form to provide an explanation for each line item in the project budget. Identify the costs to be covered by a Partnership Grant, any portion to be covered by other funds, and any expenses to be covered by cash or in-kind contributions by any organization, including the applicant, the cooperating court, or any third party partner. Also identify the nature and source of all cash or in-kind resources to be utilized by the project, the estimated value of such in-kind contributions and the basis for the estimated value.

Expense Categories. Descriptions of expenses to be included in the Project Budget (Form D) and Budget Narrative (Form E) are as follows:

Lawyers. Salaries and wages paid to staff attorney(s), whether full-time, part-time or temporary.

Paralegals. Salaries and wages paid to staff paralegal(s) (including law graduates, legal assistants and law students), whether full-time, part-time or temporary. Paralegals are persons working under the supervision and control of an attorney, whose duties consist primarily of such activities as intake interviewing, case investigations, checking court records, legal research, client representation at administrative hearings and outreach and community work.

Other Staff. Salaries and wages paid to all other staff, including administrative and support staff, whether full-time, part-time or temporary.

Employee Benefits. Fringe benefits and payroll taxes paid on behalf of employees, such as retirement, FICA, health and life insurance, workers' compensation, unemployment insurance, and other payroll-related costs.

Space. A share of space costs commensurate with the actual costs of housing staff and services funded by this proposed grant. This may include rent, utility payments, maintenance/janitorial expenses.

Equipment Rental and Maintenance. Lease or rental expenses for office furniture, fixtures and equipment (except telephone) acquired for use by the proposed project; a commensurate share of maintenance costs for that equipment whether pursuant to a service contract or an estimate of anticipated repair bills.

Supplies, Printing and Postage. Basic office accessories and supplies, including materials used in copiers. Equipment purchases under \$1,000 may be included here. Printing and postage should also be included in this category.

Telecommunications. Local, long distance, or cellular telephone service expenses incurred directly by the proposed project. Similar and related expenses for voice mail, conference calls, videoconferencing, or other telecommunications services should be included as well. Telecommunications equipment purchases that will not be depreciated may also be included here.

Travel. Travel expenses incurred by staff or volunteers to provide services through, or to administer, the proposed project.

Training. Non-personnel costs associated with training or continuing education for **staff members or volunteers** who provide services through the proposed project. You may include the cost of travel to and from training events, per diem, conference registration fees or tuition, purchase or production of training materials, rent for facilities used in a staff training event, consultant fees paid to trainers, etc. Do not include expenses associated with training that you provide to the public or to other organizations.

Library. Expenses for the maintenance and expansion of office libraries required by the proposed project, including subscriptions to periodicals, books and update services or electronic research services. Individual purchases exceeding \$1,000 should be included under "Capital Additions."

Insurance. A share of professional liability insurance and bonding costs proportionate to staff who are funded by the proposed grant. A share of property insurance (fire and theft) and liability insurance for property and automobiles commensurate with their use by the proposed project.

Audit. Expenses for preparation of audit. Do not include costs for bookkeeping or ongoing accounting services here.

Evaluation. Expenses for gathering, analyzing and reporting on information relating to the effectiveness of services provided.

Capital Additions. Equipment and library purchases over \$1,000 per item. Provide a separate description for each such proposed purchase. Purchases of tangible personal property with Trust Fund monies are governed by the "Guidelines for Acquisition of Tangible Personal Property."

Contract Service to Clients. Payments to private attorneys, consultants or organizations to provide professional services to litigants through the proposed project. **Itemize** individual contracts, specifying contractors, the general nature of duties to be performed, and the contract amount.

Contract Service to Organization. Payments for all other services to the organization specifically with regard to the proposed project, such as bookkeeping or other accounting services, technology and development consultant fees, etc. **Itemize** individual contracts, specifying contractors, the general nature of duties to be performed, and the contract amount.

Other. Expenses not included above. **Itemize** individual "Other" expenses.

FORM F. INDICATION OF SUPPORT FROM COOPERATING COURT

Letter of Support. Attach a letter of support signed by the Presiding Judge of the Court agreeing to cooperate on the proposed project. If the project is serving one side only, the court's letter must confirm its support for such a program and clearly indicate that it understands the nature of the planned services.

Memorandum of Understanding. All applicants must provide a copy of a formal agreement with the cooperating court setting forth the duties and responsibilities of each party as regards this project. This agreement should reflect all financial or in-kind support to be provided by each party, and all logistical and administrative matters reflected in the proposal. This agreement may be submitted subsequent to the Commission's approval of a Partnership Grant, but no grant funds will be disbursed before a fully-executed agreement has been received. Programs with existing projects must include a copy of their currently-effective Memorandum of Understanding, together with a description of any changes that are proposed for the coming grant year and the reasons for such changes.

**THE LEGAL SERVICES TRUST FUND PROGRAM
EQUAL ACCESS FUND – PARTNERSHIP GRANTS
2009 REQUEST FOR PROPOSAL**

For All Applicants

FORM A – PROJECT ABSTRACT

1. Project Title: _____

2. Program Name: _____

Program Contact: _____

Phone #: _____

E-mail: _____

3. Amount Requested: \$ _____

4. Cooperating Court(s)*: _____

Address, City, Zip: _____

Presiding Judge: _____

Phone #: _____

E-mail: _____

**Other Court Contact
and Title:** _____

Phone #: _____

E-mail: _____

* If more than one court is cooperating on this project, provide additional information on a separate sheet.

5. Current Recipient of Partnership Grant? ☐ Yes ☐ No

Previous grant amounts (for this project only): 2004: _____

2005: _____

2006: _____

2007: _____

2008: _____

Partnership Grant funds remaining as of August 31, 2008: _____

(Abstract: Partnership Grant RFP Form A, page 2:)

- 6. Summary.** Provide a description of the core aspects of your proposed project. (Please limit this description to one page.)

**THE LEGAL SERVICES TRUST FUND PROGRAM
EQUAL ACCESS FUND – PARTNERSHIP GRANTS**
2009 REQUEST FOR PROPOSAL

FOR ALL APPLICANTS

FORM B – PROJECT NARRATIVE

Program Name: _____
Project Title: _____

[See pages 5 through 10 of the Request for Proposal INSTRUCTIONS for an explanation of how to complete this Project Narrative and a list of the subjects to be addressed.]

THE LEGAL SERVICES TRUST FUND PROGRAM
EQUAL ACCESS FUND – PARTNERSHIP GRANTS: 2009 REQUEST FOR PROPOSAL

FOR ALL APPLICANTS

FORM C – PROJECT ASSURANCES

Program Name: _____

Project Title: _____

Applicant assures compliance with the following:

1. Applicant agrees it will use any grant funds it receives from the Partnership Grants portion of the Equal Access Fund only for purposes allowed under the State Budget Act of 2008, upon approval thereof, and any grant agreement it enters into with the Legal Services Trust Fund Program.
2. Applicant agrees to expend any grant funds solely on civil legal assistance to indigent self-represented litigants in California courts.
3. Applicant will not discriminate on the basis of race, color, national origin, religion, gender, handicap, age or sexual orientation.
4. Applicant will comply with quality control procedures adopted by the State Bar.
5. Applicant will permit reasonable site visits or present additional information deemed reasonably necessary to determine compliance with the terms of a grant under the Partnership Grants portion of the Equal Access Fund.
6. Applicant will comply with fiscal management and control procedures adopted by the State Bar.
7. Applicant agrees to consult with the Legal Services Trust Fund Program concerning media coverage of any project funded by a Partnership Grant.
8. Applicant understands that any proposal submitted for a Partnership Grant, and all documents submitted pursuant to issuance of a Partnership Grant, are public documents and may be disclosed to any person.
9. Applicant assures that, to the extent this grant is being sought for an existing project, the funds will be in addition to and will not supplant current funding committed to that project. However, to the extent applicant seeks to move some of the funding already committed to the self-help center for use on other activities, then applicant will submit to the Commission an explanation of the need for the other activities, justifying moving some of the previously-committed funds from the existing self-help center.

(Assurances: Partnership Grant RFP Form C, page 2:)

10. Applicant agrees it will cooperate with data collection processes or with research efforts of the Legal Services Trust Fund Program or the Administrative Office of the Courts to evaluate the Partnership Grants Program.

Signed:

Executive Director
Applicant Program

Chair, Board of Directors
Applicant Program

Date

Date

**THE LEGAL SERVICES TRUST FUND PROGRAM
EQUAL ACCESS FUND – PARTNERSHIP GRANTS
2009 REQUEST FOR PROPOSAL**

FOR ALL APPLICANTS

FORM E - BUDGET NARRATIVE

Program Name: _____
Project Title: _____

[See pages 11 through 13 of the Request for Proposal INSTRUCTIONS for an explanation of how to complete this Budget Narrative and for explanations of the expense categories listed on Form D.]

**THE LEGAL SERVICES TRUST FUND PROGRAM
EQUAL ACCESS FUND – PARTNERSHIP GRANTS
2009 REQUEST FOR PROPOSAL**

For All Applicants

FORM F – SUPPORT FROM COOPERATING COURT

Program Name: _____

Project Title: _____

A. Letter of Support:

Attach a Letter of Support signed by the **Presiding Judge** of the court(s) cooperating on the proposed project. If the project is serving one side only, the court's letter must confirm its support for such a program and clearly indicate that it understands the nature of the planned services.

Status of Letter:

- ☐ Signed by Presiding Judge and attached
- ☐ Will be sent to Trust Fund Program by _____

B. Memorandum of Understanding:

New Projects: A Memorandum of Understanding with the cooperating court need not be included with the submission of a completed RFP for a **new project**. However, successful applicants must submit a fully-executed MOU to the Trust Fund Program prior to the release of Partnership Grant funds.

Continuing Projects: For **continuing projects**, attach a copy of the Memorandum of Understanding now in effect. Identify any changes proposed for the upcoming term of the agreement and the reasons for such changes. Prior to the release of Partnership Grant funds, applicants must submit a fully-executed MOU that will govern the proposed project in 2009.

Status of MOU:

- ☐ Fully executed and attached
- ☐ Enclosed draft to be executed and provided to the Trust Fund Program by _____
- ☐ To be drafted, executed and provided to the Trust Fund Program by _____

**LEGAL SERVICES TRUST FUND COMMISSION
PARTNERSHIP GRANTS COMMITTEE
2008-2009**

Hon. Maria Rivera, Chair*
Justice of the First District Court of Appeal
350 McAllister Street
San Francisco, CA 94102
ph: (415) 865-7240
fax (415) 865-7309
e-mail: rivera@jud.ca.gov

Donna Hershkowitz*
Assistant Director, Office of Governmental Affairs
Judicial Council-Admin. Office of the Courts
770 L Street, Suite 700
Sacramento, CA 95814
ph: (916) 323-3121
fax: (916) 323-4347
e-mail: donna.hershkowitz@jud.ca.gov

David Lash
O'Melveny & Myers LLP
400 S. Hope Street
Los Angeles, CA 90071
ph: (213) 430-8366 fx: (213) 430-6407
e-mail: dlash@omm.com

Katherine Meehan
Department of Justice
Office of the Attorney General
2550 Mariposa Mall, Room 5090
Fresno, CA 93721
ph: (559) 477.1679 fx: (559) 445.5106
e-mail: Kathleen.Meehan@doj.ca.gov

Ellen Pirie*
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, CA 95060
ph: (831) 454-2200
fax: (831) 454-3262
e-mail: ellen.pirie@co.santa-cruz.ca.us

John Stump
4133 Poplar Avenue
City Heights, CA 92105

Attachment D

ph: (619) 281-4688 fx: (619) 281-7394
e-mail: jwstump@cox.net

Julie Weng-Gutierrez

Office of the Attorney General
1300 I Street, Suite 125
Sacramento, CA 95814
ph: (916) 445-8223
fax: (916) 324-5567
e-mail: julie.wenggutierrez@doj.ca.gov

*Members appointed by the
Chair of the Judicial Council.

EVALUATION FORM - PARTNERSHIP GRANTS

NAME OF APPLICANT:

COUNTY(IES):

NAME OF EVALUATOR:

DATE:

TYPE OF PROJECT (Check all that apply):

_____ GENERAL CIVIL
_____ FAMILY LAW
_____ GUARDIANSHIP
_____ LANDLORD/TENANT
_____ OTHER:

BASIC REQUIREMENTS:

| Yes | No | |
|-------|-------|---|
| _____ | _____ | Legal services trust fund program recipient. |
| _____ | _____ | Joint court/legal services project located at or near the courthouse. |
| _____ | _____ | Indigent clients/screening mechanism described. |
| _____ | _____ | Self-represented litigants (no court appearances anticipated with these funds). |
| _____ | _____ | State court. |

DISCRETIONARY CRITERIA

For the following criteria, please rank on a scale of 1 to 5, with 1 being inadequate, 3 being adequate, and 5 being an outstanding response. The relevant Section in applicant's Project Narrative is listed below. **Evaluate the responses based on experience and performance to date as well as plans for the future. Applicants should describe any changes they intend to make in the project, but should not include changes that would require additional Partnership Grant funds.**

- _____ PROGRAM'S QUALIFICATIONS (Section 1) Adequate expertise? Experience operating pro per projects? Success in this project so far?

- _____ NEEDS ASSESSMENT/GOALS AND OBJECTIVES (Sections 2,3) Clearly meeting an unmet client need? Services needed on an ongoing basis? Rationale for project design? Clear goals? Adequate involvement of others in goal setting?

- _____ TYPES OF SERVICES/RESOURCES (Section 4) Clear description of services? Proposed changes adequately explained? Resources described?

- _____ FINANCIAL ELIGIBILITY AND SUBJECT MATTER SCREENING (Sections 5) Adequate systems to verify income eligibility? Subject matter?

- _____ CONFLICT CHECKING/RELATIONSHIP WITH LITIGANT (Section 6) Clear communication about whether an attorney-client relationship is established? Adequate methods for checking conflicts? Complete explanation why limiting services to one side? Letter from Presiding Judge reflecting his/her clear understanding of the implications of serving only one side?

- _____ REFERRAL PROTOCOLS (Section 7) Clear description of procedures, protocols ensuring meaningful referrals? Commitments, arrangements agreed to by other entities? Conflict panel? Other info or materials provided to ineligible litigants?

_____ STAFF, TRAINING AND SUPERVISION (Section 8) Adequate plans for training and supervision, especially if supervisor is not on-site?

- _____ SITE AND ACCESSIBILITY/TECHNOLOGY AND EQUIPMENT (Sections 9 and 10) Adequate site? Adequate equipment, including technology? Services physically accessible, culturally competent, bilingual, etc.? Plans to overcome distance barriers?

- _____ EVALUATION (Section 11) Clear description of evaluation systems and successful evaluations. Plans for changes and improvements as needed? Input from both the program and the court available?

- _____ TIMETABLE. (Sections 12) Proposed timetable? Quarterly plans?

- _____ CONTINUITY AND OTHER FUNDING AND SUPPORT. (Section 13) Complete and clear plans for and/or success in leveraging Partnership Grant funds to obtain other funding? Inclusion of program's own operating revenue? List of additional funds and amounts provided? Description of extraordinary circumstances, challenges limiting fundraising success?

_____ COLLABORATIVE PLANNING WITH PARTNERS AND THE COURTS (Sections 14 and 15) Adequately address collaboration with cooperating court (and with Family Law Facilitator, if applicable) and other service providers? Describes plans to avoid confusion for pro per users of services?

_____ CLEAR ABILITY TO PERFORM HIGH QUALITY WORK ON ONGOING BASIS (from overall narrative)

TOTAL NUMBER OF POINTS: _____

CHECKLIST OF ISSUES ADDRESSED WITH COOPERATING COURT:

- _____ Assurance of Court's impartiality and independence.
- _____ Ongoing coordination.
- _____ Clear distinction between parts of delivery system.
- _____ Services provided, information and referrals.
- _____ Security.
- _____ Location/hours.
- _____ Equipment/supplies.
- _____ Shared space.
- _____ Project continuity.
- _____ Evaluation.

OVERALL COMMENTS:

SUGGESTED GRANT CONDITION(S):

MORE INFORMATION READER WOULD LIKE:

EVALUATION FORM - PARTNERSHIP GRANTS

For Staff ONLY: CHECKLIST FOR FORMS AND ATTACHMENTS

- _____ Assurances signed
- _____ Support letter submitted from presiding judge including court's understanding of all the implications presented serving one side/party.
- _____ Complete budget.
- _____ Budget attached for existing project, if any.
- _____ Complete budget narrative, matches project narrative.

Comments:

- _____ Grant level requested seems reasonable for project.
- Comments: